

MEMORANDUM

TO: Whom it May Concern

FROM: Robert W. Yelton, Attorney for The City of Shelby, North Carolina

RE: Code of Ordinances for the City of Shelby, North Carolina

DATE: October 29, 2019

Section 1-4 of Part 2 of Chapter 1 states as follows “(a) General enforcement. Unless otherwise expressly stated in a specific ordinance, violations of this Code of Ordinances or any other City Ordinance shall constitute a misdemeanor, and/or at the election of the city shall subject the violator to criminal penalties, civil penalties and/or, where permitted by law, equitable remedies for said violation as hereinafter provided.”

Section 1-5 provides as follows “(a) Unless otherwise provided herein or by ordinance, each violation of this Code and any other city ordinance constitutes a misdemeanor. Any person, firm, corporation, or other entity convicted of violating the provisions of this Code is, upon conviction, guilty of a misdemeanor and is subject to a fine not to exceed \$500.00 and/or subject to imprisonment for a period not to exceed 30 days.”

Section 32 of Part 1 of Chapter 1 states as follows “that it shall be unlawful for any person to resist or obstruct any officer of said city in the discharge of the official duty as such by force, threats or otherwise, and any persons so offending shall be guilty of a misdemeanor, and shall be fined as provided by state law.

Section 56 states the failure to abate a nuisance is considered a misdemeanor.

Section 10-37 states as follows “Any person who shall willfully make any false statement in any application for a license under any section of this article or schedule shall be guilty of a misdemeanor, and upon conviction shall be fined and/or imprisoned subject to the general penalty provisions in Section 1-4.”

Section 20-42 states as follows “Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall upon conviction be punished in accordance with Section 1-4.”

Section 24-48 makes a violation of the Minimum Housing Standards a misdemeanor.

Chapter 30 makes several miscellaneous offenses “unlawful.”

Section 32-3 (b) makes a violation of the Ban on Registered Sex Offenders from City Parks and Recreation Facilities a “Class 1 Misdemeanor.”

Section 34-2 makes it unlawful to “ask, beg, or solicit alms or contributions.”

Chapter 38 “Solid Waste” makes numerous solid waste disposal acts “unlawful”.

Chapter 42 “Traffic and Vehicles” has numerous references to “unlawful.”